IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

KIDANEMARIAM KASSA,

:

Plaintiff, :

v. : CIVIL ACTION NO.

FULTON COUNTY, GEORGIA, et al.,

:

1:17-CV-2068-AT

Defendants.

ORDER

In this 42 U.S.C. § 1983 case, Defendants filed three separate motions to dismiss [Docs. 12, 13, 15], and Defendants Pierre Easley and Antoinette Stephenson also filed a joint motion to amend their respective motions to dismiss [Doc. 14]. Plaintiff subsequently filed a First Amended Complaint as of right pursuant to Federal Rule of Civil Procedure 15(a)(1)(B). (Doc. 18.) All Defendants have since filed a Motion to Dismiss the First Amended Complaint. (Doc. 27.)

Plaintiff correctly points out that the prior motions to dismiss (Docs. 12, 13, 15), along with the joint motion to amend the motions to dismiss (Doc. 14), are mooted by Plaintiff's filing of a First Amended Complaint. (Plaintiff's Responses to Motions to Dismiss, Docs. 24, 25, 26.) See Dresdner Bank AG, Dresdner Bank AG in Hamburg v. M/V OLYMPIA VOYAGER, 463 F.3d 1210, 1215 (11th Cir.

2006) ("An amended pleading supersedes the former pleading; the original pleading is abandoned by the amendment, and is no longer a part of the pleader's averments against his adversary.") (internal quotations omitted).

The Court therefore **DENIES AS MOOT** Defendants' Motions to Dismiss [Docs. 12, 13, 15] and Defendants' Joint Motion to Amend their Motions to Dismiss [Doc. 14]. This ruling does not affect Defendants' Motion to Dismiss the First Amended Complaint (Doc. 27) that is presently before the Court.

IT IS SO ORDERED this 11th day of December, 2017.

Amy Totenberg

United States District Judge